



CRM-M-56189-2025

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

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Decided on : 19.02.2026

Pooja

. . . Petitioner(s)

Versus

State of Punjab

. . . Respondent(s)

CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH

Present : Mr. Ruhani Chadha, Advocate
for the petitioner(s).

Mr. Neeraj Madaan, Sr. DAG Punjab

SANJAY VASHISTH, J. (Oral)

1. The instant petition has been filed under Section 483 of BNSS, 2023 (earlier Section 439 Cr.P.C.), for grant of regular bail to the petitioner, during the pendency of trial, who has been booked in a criminal case arising out of First Information Report, as detailed hereunder:-

Name of Petitioner(s)	FIR No.	Date	Section(s)	Police Station	District
Pooja, aged 30 years	161	13.07.2024	22 of NDPS Act	Tanda	Hoshiarpur

2. As per prosecution allegations, on 13.07.2024, police party while was on patrolling duty in order to search the miscreants going from Raiyapur to Model Town, Darapur etc., the petitioner was noticed coming, while holding one transparent polythene in her left hand and on seeing the police party, tried to turn back after dropping the envelope from her hand. In the said polythene bag, 162 orange colored intoxicating tablets were recovered, however, the nature of the tablets was since yet to be confirmed, vide order dated 17.08.2024, she was



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granted interim bail by the Court of Judge, Special Court Hoshiarpur. Subsequently, it was found that the recovered tablets are containing the salt of Etizolam weighing 18.46 grams.

Challan was submitted on 20.02.2025, and same day when the petitioner had appeared before the Court, she was taken in custody since the quantity recovered was commercial in nature i.e. beyond the threshold of 2.5 grams.

3. Learned counsel for the petitioner contends that petitioner is aged 30 years and is inside jail for the last more than a period of 01 year and 01 months. He also points that conduct of the petitioner requires appreciation because on presentation of challan, she appeared on her own and had there been any intention to avoid the proceedings, from appearance before the Court, she would have run away instead of appearing herself, at the time of filing of challan. Additionally, it is also argued that petitioner's mother is 100% blind and there are three minor children including two daughters and one son, and, therefore, being mother her presence is very much required at home.

4. When learned counsel for the the petitioner was confronted with three other cases registered against her under NDPS Act as have been mentioned in para No. 9 of the status report, counsel submits that infact all such cases have been planted against her. The details of the cases are as follows:

(i) FIR No.115 dated 16.07.2021 U/s 22 of NDPS Act was registered at P.S. Bullowal, District Hoshiarpur against the petitioner.

(ii) FIR No:123 dated 28.05.2022 U/s 22 of NDPS Act was register P.S. Tanda, District Hoshiarpur against the petitioner.

(iii) FIR No.81 dated 17.04.2015 U/s 21, 22, 27 of NDPS Act was registered at P.S. Tanda, District Hoshiarpur against the petitioner.



5. In regard to the case at serial No. (i) learned counsel for the petitioner submits that petitioner has already been granted bail in the said case and proceedings are yet to be finalized. In regard to case FIR No. 123 mentioned at serial No. (ii) counsel submits that it was a case of 5 grams of Heroin was effected from his co-accused and neither any recovery was effected from the petitioner nor her name was mentioned in the FIR. In regard to serial No. (iii) petitioner has already been acquitted on 13.07.2023.

6. Learned State counsel is not in a position to rebut the said contention, which has been addressed by the petitioner in regard to the other cases registered against her.

7. This Court has heard the submissions addressed by learned counsel for the parties and has carefully perused the record available before it.

8. Considering the circumstances in its entirety and also the fact that the petitioner is a woman and quantity recovered is 18.46 grams of Etizolam and looking at the family circumstances, this Court is of the considered view that further incarceration of the petitioner would not serve any useful purpose.

Consequently, prayer made in the present petition is allowed. Petitioner is ordered to be released on bail, subject to her furnishing bail/surety bonds to the satisfaction of the learned trial Court/ Chief Judicial Magistrate/ Illaqa Magistrate/ Duty Magistrate concerned, if not required in any other case.

9. Needless to observe that the petitioner shall not extend any threat and shall not influence any prosecution witness in any manner directly or indirectly.

10. The observation made here-in-above shall not be construed as an expression of opinion on the facts of the case and the Trial Court is expected to decide the case on the basis of complete evidence available on record.



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11. It is further made clear that if, in future, petitioner is directly found indulged in similar kind of activities, this order shall be deemed to be cancelled.
12. Petition stands disposed of.

 Pending misc. application(s), if any, also stand disposed of.

February 19, 2026

(SANJAY VASHISTH)
JUDGE

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Whether speaking/reasoned: Yes/No

Whether Reportable: Yes/No